

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: OCTOBER 4, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: ABEYANCE - SDR-14114 - APPLICANT: R & S  
INVESTMENT GROUP - OWNER: DECATUR III, LLC, ET AL**

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***THIS ITEM WAS HELD IN ABEYANCE FROM THE SEPTEMBER 6, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.***

**\*\* CONDITIONS \*\***

Staff recommends DENIAL. The Planning Commission (4-1/sd vote) recommends APPROVAL, subject to:

**Planning and Development**

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-14120) and VAR-14122) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan and landscape plan, date stamped 07/05/06 and building elevations, date stamped 06/07/06, except as amended by conditions herein.
4. Seven additional handicap parking spaces shall be provided within phase one if it is completed before phase two.
5. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
6. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

8. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. A Master Sign Plan shall be submitted for approval by the City of Las Vegas prior to the issuance of a Certificate of Occupancy for any building on the site and prior to the issuance of any sign permits.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. A Comprehensive Construction Staging Plan shall be submitted to the Planning and Development Department for review and approval prior to the issuance of any building permits. The Construction Staging Plan shall include the following information: Design and location of construction trailer(s); design and location of construction fencing; all proposed temporary construction signage; location of materials staging area; and the location and design of parking for all construction workers.
15. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
16. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

**Public Works**

17. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.

18. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
19. Landscape and maintain all unimproved rights-of-way, if any, on Decatur Boulevard and Tropical Parkway adjacent to this site.
20. Submit an Encroachment Agreement for all landscaping, if any, located in the Decatur Boulevard and Tropical Parkway public rights-of-way adjacent to this site prior to occupancy of this site.
21. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
22. A Homeowners' Association or Landscape Maintenance Association shall be established to maintain all private roadways, landscaping and common areas created with this development.
23. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-14120 and all other applicable site-related actions.
24. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. We note that meandering sidewalk is shown adjacent to Decatur Boulevard.

**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This is a request for a Site Development Plan Review for a proposed mixed-use development, including two eight-story office buildings and consisting of 186 residential units, 908,230 square feet of commercial floor area, and two parking structures on 36.43 acres at the northwest corner of Decatur Boulevard and Tropical Parkway.

A related General Plan Amendment (GPA-14112) to PCD (Planned Community Development), a Rezoning (ZON-14120) to PD (Planned Development), and a Variance to allow a parking reduction (VAR-14122) will be considered concurrently.

**EXECUTIVE SUMMARY**

Because the Master Development Plan associated with this request does not comply with the parking requirements of Title 19, staff is unable to support this application.

**BACKGROUND INFORMATION**

***A) Related Actions***

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|----------|--|
| 12/08/97 | The City Council approved rezonings (Z-109-97 and Z-110-97) of this site from R-E (Residence Estates) and C-1 (Limited Commercial) to R-PD 15 (Residential Planned Development – 15 Units Per Acre) and C-1 (Limited Commercial). The Planning Commission and Planning and Development Department staff had recommended approval |
| 07/27/06 | The Planning Commission recommended approval of companion items GPA-14118, ZON-14120 and VAR-14122 concurrently with this application.   |
| 07/27/06 | The Planning Commission voted 4-1/sd to recommend APPROVAL (PC Agenda Item #29/ar).  |

***B) Pre-Application Meeting***

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|----------|---|
| 04/07/06 | Staff explained the requirements of the PD (Planned Community) zoning district. |
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***C) Neighborhood Meetings***

On June 26, 2006 a neighborhood meeting sponsored by the applicant was held at the Los Prados Country Club, 5150 Los Prados Circle to discuss the development of this site. Twelve people attended and had the following concerns:

- Traffic - this project will compound current traffic problems
- School - student safety a concern with increased traffic
- Parking Garage - lighting, noise, exhaust, obstructed views a concern for adjacent homes
- Height of buildings/parking garage - will obstruct views, be unsightly from adjacent backyards
- 24 hour use - concern for 24 hour traffic, noise, congestion, crime
- Move or underground parking garage, build 10' perimeter walls

**DETAILS OF APPLICATION REQUEST**

Site Area: 36.43 Acres

**EXISTING LAND USE**

Subject Property	Undeveloped
North	CC 215 Right of Way
South	Single Family Dwellings
East	Undeveloped - city of North Las Vegas
West	Single Family Dwellings

**PLANNED LAND USE**

Subject Property	M (Medium Density Residential) SC (Service Commercial)
North	CC 215 Right of Way
South	ML (Medium-Low Density Residential)
East	city of North Las Vegas – Regional commercial
West	M (Medium Density Residential)

**EXISTING ZONING**

Subject Property	R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial) R-PD15 (Residential Planned Development - 15 Units Per Acre) to PD (Planned Development)
North	CC 215 Right of Way

South R-1 (Single Family Residential)  
East city of North Las Vegas – C-1 (Neighborhood Commercial)  
C-2 (General Commercial)  
West R-PD8 (Residential Planned Development - 8 Units Per Acre)  
R-PD6 (Residential Planned Development - 6 Units Per Acre)

<b><i>SPECIAL DISTRICTS/ZONES</i></b>	<b>YES</b>	<b>NO</b>
SPECIAL PLAN AREA		X
RURAL PRESERVATION NEIGHBORHOOD		X
RURAL PRESERVATION NEIGHBORHOOD BUFFER		X
PROJECT OF REGIONAL SIGNIFICANCE	X	

Staff has determined that the related proposed General Plan Amendment and its companion items would meet the definition of a Project of Regional Significance as defined in the ordinance, and has notified the applicant to prepare an impact report as required by the Ordinance for referral to the City of North Las Vegas.

## PROJECT DESCRIPTION

The proposed mixed use development will be developed in two phases. Phase one is located to the north of phase two and will consist of the following components:

<b>USE</b>	<b>FLOOR SPACE</b>	<b>LOCATION</b>
Gymnasium	54,000 Square feet	Two story building in the northwest portion of site
Hotel	71,100 Square feet, 100 guest rooms	Three story building in the northeast portion of site
Offices	450,600 Square feet	Buildings 1 and 2, which are eight story buildings located in the north portion of the site; Second stories of buildings C, D, E, and F, which are two story buildings located in the center of the site.
Retail	140,030 Square feet	The ground level of buildings A and B, which are three story buildings located in the east portion of the site; Ground level of buildings C, D, E, and F, which are two story buildings located in the center of the site.
Restaurant	43,300 Square feet	Buildings 1, 2, 3, 4 and 6, which are single story buildings located in the center of the site.
Apartments	209,790 Square feet, 144 two-bedroom units	The second and third stories of buildings A and B, which are three story buildings located in the east portion of the site.
Parking garage	2,175 Spaces	Parking structure A, a seven level building in the northwest portion of the site.

Phase two is located in the south portion of the site and will consist of the following components:

USE	FLOOR SPACE	LOCATION
Offices	26,200 Square feet	The second story of building J, which is a two story building located in the south portion of the site.
Retail	56,500 Square feet	Buildings G and I, which are single story buildings located in the south portion of the site; Ground level of building H, a three story building in the south portion of the site; and the ground level of building J, a two-story building located in the south portion of the site.
Restaurant	12,500 Square feet	Buildings 5 and 7, which are single story buildings located in the south portion of the site.
Apartments	209,790 Square feet, 42 two-bedroom units	The second and third stories of building H, which is a three story building located in the south portion of the site.
Parking garage	428 Spaces	Parking structure B, a four level building in the south portion of the site.

Access to the site is provided by three driveways to Decatur Boulevard and one driveway to Tropical Parkway. Decorative paving treatments are shown at the Decatur Boulevard driveways and at intersections of internal drives. Parking in phase one will consist of 1,125 surface spaces and 2,175 spaces within the seven level parking structure. Parking for phase two will consist of 166 spaces and 428 spaces within a two four-level parking structures. Landscaping will be provided in minimum 20 foot wide landscape planters along Decatur Boulevard and Tropical - Parkway. Minimum eight-foot wide planters are provided along the interior property lines. Twenty-four inch box trees are depicted within the planters and are spaced at 10 to 20 feet on center. Trees are also provided within planter islands in the parking lot. Shrubs and ground cover will also be provided in all planting areas.

Sixteen structures are proposed for phase one, with seven buildings shown in phase two. The heights, location and distance from residential are shown in the following tables:

#### PHASE ONE

BUILDING	LOCATION	STORIES	HEIGHT	DISTANCE FROM RESIDENTIAL
Fitness center	Northwest portion of site	2	42 -56 feet	146 feet
Office # 1	Northwest portion of site	8	110-117 feet	424 feet
Office # 2	North portion of site	8	110-117 feet	554 feet

Hotel	Northeast portion of site	3	40-45 feet	586 feet
Residential/retail "A"	East portion of site	4	55-67 feet	390 feet
Residential/retail "B"	Northeast portion of site	4	55-67 feet	410 feet
Office/retail "C"	Center of site	3	46-55 feet	200 feet
Office/retail "D"	North portion of site	3	46-55 feet	240 feet
Office/retail "E"	North portion of site	3	46-55 feet	338 feet
Office/retail "F"	North portion of site	3	46-55 feet	338 feet
Restaurant # 1	Center portion of site	1	30 feet	400 feet
Restaurant # 2	Center portion of site	1	27 feet	180 feet
Restaurant # 3	Center portion of site	1	30 feet	180 feet
Restaurant # 4	Center portion of site	1	26 feet	85 feet
Restaurant # 6	East portion of site	1	36 feet	400 feet
Parking Structure "A"	Northwest portion of site	7	24 -52 feet	74 *

## PHASE TWO

<b>BUILDING</b>	<b>LOCATION</b>	<b>STORIES</b>	<b>HEIGHT</b>	<b>DISTANCE FROM RESIDENTIAL</b>
Retail "G"	South portion of site	1	30 – 48 feet	240 feet
Residential/Retail "H"	Southeast portion of site	4	55 – 67 feet	390 feet
Retail "T"	Southwest portion of site	1	15 - 22 feet	65 feet
Office/Retail "J"	South portion of site	3	46-55 feet	270 feet
Restaurant # 5	Southeast portion of site	1	36-45 feet	122 feet
Restaurant # 7	Southwest portion of site	1	18 feet	55 feet
Parking structure "B"	Southwest portion of site	4	15- 35 feet	45 feet *

\*Parking structures "A" and "B" comply with Residential Adjacency Standards because the building heights increase as the distance from the property lines increase in such a manner as to be under the height limitation of the residential proximity slope.

The submitted elevations indicate that all buildings will have plaster exteriors with contrasting materials which include stucco, stone, tile, metal and glass. Decorative canopies are shown above doors and windows. A contemporary southwest architectural character is depicted with a color palette consisting of earth tones.

## ANALYSIS

### A) *Zoning Code Compliance*

#### A1) Development Standards

Pursuant to Title 19.08, the following Development Standards apply to the subject proposal:

Standards	Required	Provided	Compliance
Min. Lot Size	Five acres	36.43 acres	Y
Min. Lot Width	N/A	610 feet	Y
Min. Setbacks			
• Front (Decatur Blvd)	N/A	20 feet	Y
• Corner (CC215 and Tropical Pkwy)	N/A	15 feet	Y
• Rear	N/A	20 feet	Y
Max. Building Height	Shall comply with Residential Adjacency Standards	Compliance is depicted	Y
Trash Enclosure	Minimum separation of 50 feet from residential	Minimum of 50 feet	Y
Loading Zone	6 spaces	7 spaces	Y

The PD (Planned Development) zoning district does not have any established setback requirements. It is the applicant's responsibility to provide appropriate setbacks within the development standards. Staff has reviewed the setbacks proposed by the applicant and has determined that they are compatible with the type of development proposed.

#### A2) Residential Adjacency Standards

Staff has reviewed the building heights and locations and has determined that this project is in compliance with the Residential Adjacency Standards.

**A) Zoning Code Compliance**

**A1) Parking and Traffic Standards**

Pursuant to Title 19.10, the following Parking Standards apply to the subject proposal:

**PHASE ONE**

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
100 room hotel	71,100 SF.	1 space per room	100 spaces			
Office	450,600 SF	1/300 sf	1,502 spaces			
Retail	140,030 SF	1/250 sf	560 spaces			
Restaurant – seating areas	27,370 SF	1/50 sf	548 spaces			
Restaurant – non seating areas	11,730 SF	1/200 sf	59 spaces			
144 two-bedroom units	209,790 SF	1.75 spaces per unit plus one guest space per 6 units	276 Spaces			
Health Club	108,000 SF	1/200 SF	540 Spaces			
<b>TOTAL</b>			<b>3,585</b>	<b>46</b>	<b>3,300</b>	<b>39</b>

## PHASE TWO

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Office	26,200 SF	1/300 sf	88 spaces			
Retail	56,500 SF	1/250 sf	226 spaces			
Restaurant – seating areas	8,750 SF	1/50 sf	175 spaces			
Restaurant – non seating areas	3,750 SF	1/200 sf	19 spaces			
42 two-bedroom units	70,200 SF	1.75 spaces per unit plus one guest space per 6 units	80 Spaces			
<b>TOTAL</b>			<b>588</b>	<b>6</b>	<b>594</b>	<b>13</b>

## COMPLETED PROJECT AT BUILD OUT

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
100 room hotel	71,100 SF.	1 space per room	100 spaces			
Office	476,800 SF	1/300 sf	1,590 spaces			
Retail	196,530 SF	1/250 sf	786 spaces			
Restaurant – seating areas	36,120 SF	1/50 sf	723 spaces			
Restaurant – non seating areas	15,480 SF	1/200 sf	78 spaces			
186 two-bedroom units	279,990 SF	1.75 spaces per unit plus one guest space per 6 units	356 Spaces			
Health Club	108,000 SF	1/200 SF	540 Spaces			
<b>TOTAL</b>			<b>4,173</b>	<b>52</b>	<b>3,894</b>	<b>52</b>

The project will be deficient 285 spaces (approximately 8 %) upon completion of phase one. Phase one is also deficient seven handicap parking spaces. After completion of phase two, the completed development will be deficient 279 spaces (approximately 6.7%).

A4) Landscape and Open Space Standards

Pursuant to Title 19.12, the following Landscape Standards apply to the subject proposal:

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Tree/6 surface parking spaces (1,291 spaces depicted)	216 Trees	290
• Buffer:			
Min. Trees	1 Tree/30 Linear Feet	40 Trees	54 Trees
North prop line (CC215)	1 Tree/20 Linear Feet	58 Trees	58 Trees
South prop line (Tropical Pkwy)	1 Tree/30 Linear Feet	53 Trees	54 Trees
East (Decatur Blvd)	1 Tree/20 Linear Feet	97 Trees	102 Trees
West.			
• Min. Zone Width			
North prop line (CC215)	15 Feet		15 Feet
South prop line (Tropical Pkwy)	15 Feet		15 Feet
East (Decatur Blvd)	15 Feet		15 Feet
West.	8 Feet		10 Feet

The proposed site plan complies with the landscaping requirements of Title 19.

***B) General Analysis and Discussion***

- Zoning

The proposed rezoning allows a maximum residential density of 8.0 dwelling units per acre and allows commercial and office development.. The residential and commercial development associated with the PD (Planned Development) zoning district is compatible with the adjacent residential properties only if the Master Development Plan associated with the planned community conforms to the requirements of Title 19.

- Site Plan

Because the Master Development Plan associated with this request does not comply with the parking requirements of Title 19, staff is unable to support this application.

- Waivers

No waivers are required in conjunction with this development.

- Landscape Plan

The landscape plan conforms to the requirements of the Zoning Code.

- Elevation

The elevations are typical for this type of development and meet the design standards of the Zoning Code.

**FINDINGS**

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **“The proposed development is compatible with adjacent development and development in the area;”**

The residential and commercial development associated with the PD (Planned Development) zoning district is compatible with the adjacent residential properties only if the Master Development Plan associated with the planned community conforms to the requirements of Title 19.

2. **“The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;”**

This request does not comply with Policy 3.5.2 of the 2020 Master Plan, which requires the developers of master planned communities to work with the City to ensure that the standards for these communities meet or exceed those for citywide development.

Because the site plan associated with this request does not comply with the parking requirements of Title 19, staff is unable to support this application.

3. **“Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;”**

Adequate access to this site will be provided from Decatur Boulevard, a Primary Street as designated by the Master Plan of Streets and Highways, and Tropical Parkway, a Secondary Street.

4. **“Building and landscape materials are appropriate for the areas and for the City;”**

The building and landscape materials are similar to that found in other commercial developments in the area and are compatible with development in the area.

5. **“Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;”**

The building elevations and architectural features are compatible with development in the area. The proposed development is compatible with the adjacent residential properties only if the Master Development Plan associated with the planned community conforms to the requirements of Title 19.

6. **“Appropriate measures are taken to secure and protect the public health, safety and general welfare.”**

If approved, the proposed development will be subject to permitting and licensing requirements of the city of Las Vegas and will not adversely impact the public health, safety or welfare.

### **PLANNING COMMISSION ACTION**

In order to ensure that the project is developed as proposed the following conditions may be considered:

- Buildings A, B & H must be developed fully as shown. Elimination or reduction of residential units shall required a new Site Development Plan Review through Planning Commission and City Council.
- Permits for Buildings A, B & H must be issued prior to or concurrently with restaurants 1 through 4, hotel and gym

### **NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

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**ASSEMBLY DISTRICT** 13

**SENATE DISTRICT** 9

**NOTICES MAILED** 477 by Planning Department

**APPROVALS** 0

**PROTESTS** 0